

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 11-26 are pending. In the present application, Claims 11-14 and 16-19 are currently amended and new Claims 21-26 are added. Support for the present amendment can be found in the original specification, for example, at page 9, lines 13-23, at page 10, line 13 to page 11, line 16, in original Figures 2-4, and in original Claims 11-20. Thus, it is respectfully submitted that no new matter is added.

In the outstanding Office Action, Claim 16 was rejected under 35 U.S.C. § 112, second paragraph; the specification was objected to; Claims 11, 13-15, 19, and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kafer (U.S. Patent No. 6, 534,713) in view of Serizawa et al. (U.S. Patent No. 6, 135,538, hereinafter “Serizawa”); Claims 16 and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kafer as modified by Serizawa, in view of Flynn (U.S. Patent No. 1,764,964); Claim 12 was rejected under 35 U.S.C. § 103(a) as unpatentable over Kafer as modified by Serizawa in view of Mersch (U.S. Patent No. 6,328,498); and Claim 18 was rejected under 35 U.S.C. § 103(a) as unpatentable over Kafer as modified by Serizawa in view of Sora et al. (U.S. Patent No. 6,312,046, hereinafter “Sora”).

In response to the rejection of Claim 16 under 35 U.S.C. § 112, second paragraph, it is noted that Claim 16 is hereby amended to recite, in part, that “the fixation member is fixed on the body wall by an elastic sleeve-joint arrangement such that an end portion of the fixation member passes through a hole in the body wall to engage with the body wall.” As can be seen in the exemplary embodiment shown in Figure 4 and described at page 9, lines 13-23, the elastic sleeve-joint arrangement includes an end portion of the fixation member that can pass through at least one hole in the body wall such that the end portion engages the body

wall to prevent the fixation member from being withdrawn therefrom. Thus, the fixation member is fixed on the body wall. It is respectfully submitted that no new matter is added.

Accordingly, in view of the amendment to Claim 16, all claims are believed to be definite and no further rejection on that basis is anticipated. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive at mutually acceptable language.

In response to the objection to the specification, the specification is hereby amended to correct the informality noted in the Office Action. It is respectfully submitted that no new matter is added. Thus, it is respectfully requested that the objection to the specification be withdrawn.

Turning now to the rejections under 35 U.S.C. § 103(a), Applicant respectfully requests reconsideration of these rejections and traverses these rejections, as discussed below.

Amended Claim 11 recites:

A cable-passage system between a body and a door of a motor vehicle, comprising:

a flexible sheath through which electric cables pass, the sheath including

an axially extensible part, wherein a first end of the axially extensible part is fixed to the body and a second end of the axially extensible part is connected to an edge wall of the door on a border of a cable-passage orifice cut into the edge wall, such that the axially extensible part of the sheath becomes longer when the door is opened, and

a deformable in flexion part connected to the axially extensible part, wherein a first end of the deformable in flexion part is joined to the body at a cable passage in a body wall, and a second end of the deformable in flexion part is fixed to the body; and

a fixation member configured to fix the first end of the axially extensible part and the second end of the deformable in flexion part to the body,

wherein the cables have sufficient free length inside the door such that the cables can slide into the sheath to absorb length variations of the sheath during pivoting of the door.

Thus, the flexible sheath included in the cable-passage system recited in amended Claim 11 includes an axially extensible part and a deformable in flexion part. Additionally, the system includes a fixation member that fixes a first end of a axially extensible part and a second end of the deformable in flexion part to the body. Thus, the fixation member is positioned along the flexible sheath between the axially extensible part and the deformable in flexion part. It is respectfully submitted that the cited references do not disclose or suggest every feature recited in amended Claim 11.

Kafer describes individual cables 10 that are enclosed by a protective sheath of a cable set 8, which includes a first end part 14, a second end part 16, and an intermediate part 18.¹ Additionally, Kafer describes that a mating stop 24 is provided on the second end part 16 in the connecting region to the intermediate part 18 and that the mating stop 24 interacts with the stop 25 integrally formed on the intermediate part 18.² Further, Kafer describes that the end part 16 has fastening link plates for fastening the second end part on the body 4.³

However, it is respectfully submitted that Kafer does not disclose or suggest “a fixation member configured to fix the first end of the axially extensible part and the second end of the deformable in flexion part to the body,” as recited in amended Claim 11.

Instead, as can be seen in Figure 1 of Kafer, the fastening link plates 20 are positioned in a middle of end part 16, and thus are not positioned at an end of the end part 16. Further, the intermediate part 18 is directly connected to one end of the end part 16, and thus is not fixed to the body by the fastening link plates 20. Thus, the link plates 20 described in Kafer are not the claimed fixation member.

¹ See Kafer, at column 3, line 66 to column 4, line 1 and in Figure 1.

² See Kafer, at column 4, lines 8-11 and in Figure 1.

³ See Kafer, at column 4, lines 4-5 and in Figure 1.

Serizawa describes a door wire harness arrangement structure including a flexible wire harness protector and a flat wire harness which are employed to electrically connect a door of a vehicle to its main body.⁴ However, it is respectfully submitted that Serizawa does not cure the above noted deficiencies of Kafer.

Accordingly, it is respectfully submitted that the combination of Kafer and Serizawa do not disclose or suggest every feature recited in amended Claim 11. Thus, it is respectfully requested that the rejection of Claim 11, and all claims dependent thereon, as unpatentable over Kafer in view of Serizawa be withdrawn.

Turning now to the remaining rejections in the Office Action, Applicant respectfully submits that none of the remaining secondary references (Flynn, Mersch, and Sora) cure the deficiencies noted above with respect to Kafer in view of Serizawa. Therefore, for at least the reasons discussed above with respect to Claim 11, it is respectfully submitted that Claims 12 and 16-18 also patentably define over all of the cited references. Thus, it is respectfully requested that the rejections of Claims 12 and 16-18 be withdrawn.

New Claims 21-26 are added by the present amendment. Support for new Claims 21-26 can be found in the original specification, for example, at page 9, lines 13-23, at page 10, line 13 to page 11, line 16, in original Figures 2-4, and in original Claims 11-20. Thus, it is respectfully submitted that no new matter is added.

New Claim 21 is dependent on Claim 11, and thus is believed to be patentable for at least the reasons discussed above with respect to Claim 11.

New Claim 22 recites, in part, a flexible sheath, comprising “a flange positioned between the axially extensible part and the deformable in flexion part, wherein the flange is configured to be fixed to the body of the vehicle.” Accordingly, in view of the above discussion with respect to Claim 11, it is respectfully submitted that none of the cited

⁴ See Serizawa, at column 1, lines 6-9 and in Figure 1.

references disclose or suggest the claimed flange. Thus, it is respectfully submitted that Claim 22, and all claims dependent thereon, patentably define over the cited references.

New Claim 25 recites, in part, a method of passing cables between a body and a door of a motor vehicle, comprising "locating a flange positioned between a second end of the axially extensible part and a second end of the deformable in flexion part; fixing the flange to the body with a fixation member."

Accordingly, in view of the above discussion of the cited references with respect to Claim 11, it is respectfully submitted that the cited references do not disclose or suggest every feature recited in new Claim 25. Thus, it is respectfully submitted that Claim 25, and Claim 26 which is dependent thereon, patentably define over the cited references.

Consequently, in view of the present amendment and in light of the following discussion, both of those issues are believe to be outstanding in the present application and the present application is believed to be in condition for allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

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